UNITED STATES PATENT AND TRADEMARK OFFICE

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WONG, TITUS

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/582,084	NAKAMURA ET AL.
	Examiner	Art Unit
	TITUS WONG	2184

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 July 2008</u>.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-16</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>08 June 2006</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☒ All   b)☐ Some * c)☐ None of:
       1.☒ Certified copies of the priority documents have been received.
       2.☐ Certified copies of the priority documents have been received in Application No. _____.
       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

The amendment filed on July 30, 2008 has been received and entered.

Applicant's Amendments to the Specification and Claims have been received and acknowledged.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 3, 6-8, 10, 11, and 14-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, line 3, it is not clear whether "the different command" is different block size setting command or another command (in claim 1, line 5 and 7) or a command different from the block size setting command. Similar problems exist in claims 3, 6-8, 10, 11, 14, and 16.

Applicant is required to review the claim and correct all language which does not comply with 35 U.S.C. § 112, second paragraph.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Saeki (US Publication No. 2003/0006279 A1) hereafter referred to as Saeki'279, in view

of Asami. (US Patent No. 6,036,100) hereafter referred to as Asami'100.

Referring to claim 1, Saeki'279, as claimed, an electronic apparatus (see Fig. 4)

comprising: an interface section (IC card reader/writer, see Fig. 4) that communicates

with a host device (host device **2**, see Fig. 4) through a command/response line and a

data line (see Figs. 1,2, and 4), wherein: a command and a response are transmitted

through the command/response line (transmits a telegraphic message from a host

device or transmits a telegraphic message to a host device, see para. [0027], lines 4-7

and Fig. 1), and data is transmitted through the data line (see Fig. 5, blocks **101** and

103); the command, the response and the data are transmitted in this order between the

electronic apparatus and the host device (Demand of next response/data block,

respond with data/response block, see Figs. 1 and 2); the transmitted data is divided

into data blocks with a block size specified by the host device when a length of the data

is at least a predetermined length (divides the data into blocks of a predetermined

length that does not exceed the memory capacity, see para. [0033], lines 8-10) and the

interface section receives, via the command/response line, a block size setting

command which informs the electronic apparatus of transmitting information about the

specified block size, transmits a response corresponding to the block size setting

command via the command/response line, and then receives the information about the

specified block size via the data line; a storage section that stores the received

information about the specified block size (size of the data, see para. [0033], lines 4-6)

and a data buffer that stores data (RAM **4**, see Fig. 4), wherein when the specified block

size is larger than a capacity of the data buffer (when the size of the data is bigger than

the memory capacity, the host device **2** divides the host data into data blocks of a

predetermined length that does not exceed the memory capacity, see para. [0033], lines

4-13 and Fig. 3).

However, Saeki'279 does not appear to teach transmitting error information when

an error is detected.

Asami'100 further discloses transmitting error information when an error is

detected (error detection processing to check for errors and transmit error message,

see Col. 5, lines 12-14 and 31-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of invention was made to modify Saeki'279's invention to comprise transmitting

error information when an error is detected, as taught by Asami'100, in order to provide

improved data reliability and data transmission (see Col. 2, lines 27-32)

As to claim 2, Saeki'279 also discloses wherein the different command is a data block transmitting/receiving command (attaches a code to each of the response blocks to indicate whether or not it is the final block, see para. [0038], lines 1-7) which informs the electronic apparatus of transmitting or receiving the data blocks of the specified block size (divides the host data into blocks of predetermined length and sends them, see para. [0033], lines 8-10), and the electronic apparatus transmits the response, and does not accept the data blocks when the data blocks are transmitted from the host device via the data line (see Figs. 1 and 5).

However, Saeki'279 does not appear to teach transmitting error information.

Asami'100 further discloses transmitting error information (error detection processing to check for errors and transmit error message, see Col. 5, lines 12-14 and 31-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to modify Saeki'279's invention to comprise transmitting error information, as taught by Asami'100, in order to provide improved data reliability and data transmission (see Col. 2, lines 27-32)

As to claim 3, Saeki'279 also discloses wherein the different command is a next command (attaches a code to each of the blocks to indicate whether or not it is the final block, see para. [0034], lines 1-13) which is transmitted from the host device immediately after the block size setting command (transmissible data length, see para. [0005], lines 2-3), the electronic apparatus adds the response to the response

corresponding to the next command, and then transmits the response (<u>transmits

response information, see para. [0036], lines 1-4 and Fig. 1</u>).

However, Saeki'279 does not appear to teach transmitting error information.

Asami'100 further discloses transmitting error information (<u>error detection

processing to check for errors and transmit error message, see Col. 5, lines 12-14 and

31-37</u>).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of invention was made to modify Saeki'279's invention to comprise transmitting

error information, as taught by Asami'100, in order to provide improved data reliability

and data transmission (<u>see Col. 2, lines 27-32</u>)

As to claim 4, Saeki'279 also discloses wherein in case that the interface section

receives a command including information about the specified block size of the data

block from the host device via the command/response line and the specified block size

included in the received command is larger than the capacity of the data buffer (<u>see Fig.

3, step S13</u>), when the electronic apparatus receives a data block transmitting/receiving

command which informs the electronic apparatus of transmitting or receiving the data

blocks of the specified block size from the host device (<u>divides the data into blocks of a

predetermined length that does not exceed the memory capacity, see para. [0033], lines

8-10</u>), the electronic apparatus transmits a response corresponding to the data block

transmitting/receiving command, and when the data blocks are transmitted from the

host device, the electronic apparatus does not accept the data blocks (<u>it is interpreted

that the IC card only accepts data that is of a predetermined length, see para. [0033],</u>

lines 8-10), or when the electronic apparatus receives a next command which is

transmitted immediately after the command including information about the specified

block size, the electronic apparatus adds the error information about the inability of

accepting data blocks of the specified block size to a response corresponding to the

next command, and then transmits the response.

However, Saeki'279 does not appear to teach transmitting error information.

Asami'100 further discloses transmitting error information (error detection

processing to check for errors and transmit error message, see Col. 5, lines 12-14 and

31-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of invention was made to modify Saeki'279's invention to comprise transmitting

error information, as taught by Asami'100, in order to provide improved data reliability

and data transmission (see Col. 2, lines 27-32)

As to claim 5, Saeki'279 also discloses an IC card (IC card **3**, see Fig. 4).

Referring to claim 6, Saeki'279, as claimed, a host device (host device **2**, see

Fig. 4) comprising: an interface section (interface with IC card reader/writer, see Fig. 4)

that communicates with an electronic apparatus (IC card reader/writer or IC card **3**, see

Fig. 4) through a command/response line, wherein: and a data line (see Figs. 1,2, and

4) a command and a response are transmitted through the command/response line

(transmits a telegraphic message from a host device or transmits a telegraphic

message to a host device, see para. [0027], lines 4-7 and Fig. 1), and data is

transmitted through the data line (see Fig. 5, blocks **101** and **103**); the command, the

response and the data are transmitted in this order between the electronic apparatus

and the host device (<u>Demand of next response/data block, respond with data/response</u>

<u>block, see Figs. 1 and 2</u>): when the data is at least a predetermined length (<u>divides the</u>

<u>data into blocks of a predetermined length that does not exceed the memory capacity,</u>

<u>see para. [0033], lines 8-10</u>), the interface section transmits or receives data blocks with

a predetermined block size created by dividing the data (<u>host device divides the data</u>

<u>into the data blocks of a predetermined length and sends them, see para. [0033], lines</u>

<u>4-10</u>); the interface section transmits, via the command/response line, a block size

setting command (<u>predetermined length, see para. [0033], lines 9-10</u>) which informs the

electronic apparatus of transmitting information about the block size of the data blocks

receives a response corresponding to the block size setting command, and then

transmits the information about the block size of the data block via the data line (<u>see</u>

<u>Fig. 1</u>); and when the interface section transmits a command different from the block

size setting command and receives a response to the different command (<u>IC card</u>

<u>reader/writer 1 repeats the steps of receiving the response blocks from the IC card and</u>

<u>of prompting IC card to send response blocks, see para. [0044], lines 1-4, para. [0043],</u>

<u>lines 1-8, and Figs. 1,2, and 5</u>), transmits an inquiry about a data capacity of a data

buffer to the electronic apparatus (<u>buffer size of RAM 4, see para. [0043], lines 9-12</u>)

through the command/response line, determines a new block size which is not more

than the capacity of the data buffer in the electronic apparatus based on a response

corresponding to the inquiry, and sets the new block size to the electronic apparatus

(determines that the host data does not exceed memory capacity, see para. [0033],

lines 9-10 and para. [0037], lines 3-5).

However, Saeki'279 does not appear to teach transmitting error information.

Asami'100 further discloses transmitting error information (error detection

processing to check for errors and transmit error message, see Col. 5, lines 12-14 and

31-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of invention was made to modify Saeki'279's invention to comprise transmitting

error information, as taught by Asami'100, in order to provide improved data reliability

and data transmission (see Col. 2, lines 27-32)

Note claims 7, 10, and 15 recite the corresponding limitations of claim 2.

Therefore they are rejected based on the same reason accordingly.

Note claims 8, 11, and 16 recite the corresponding limitations of claim 3.

Therefore they are rejected based on the same reason accordingly.

Note claim 9 recites the corresponding limitations of claim 1. Therefore it is

rejected based on the same reason accordingly.

Note claim 12 recites the corresponding limitations of claim 4. Therefore it is

rejected based on the same reason accordingly.

Note claim 13 recites the corresponding limitations of claim 5. Therefore it is

rejected based on the same reason accordingly.

Note claim 14 recites the corresponding limitations of claim 6. Therefore it is

rejected based on the same reason accordingly.

Response to Arguments

Applicant's arguments filed on 7/30/2008 have been fully considered but they are

not persuasive.

Applicants argued that "Asami'100 does not disclose including error

information about an inability of accepting data blocks of a specified block size in

a response corresponding to a command different from a block size setting

command, and transmitting the response including error information to a host

device when the specified block size is larger than a capacity of a data buffer."

(Page 2, 2nd and 3rd para. of Amendment)

Examiner does not agree with Applicants. Saeki'279 discloses dividing blocks of

data into data blocks smaller than the capacity of the memory. No data blocks larger

than the capacity would be accepted. Asami'100 discloses transmitting an error

message when there is a problem or error in the data. One of ordinary skill in the art

would know how to modify the error message to notify the condition in Saeki'279 when

data blocks are divided so that they are smaller than the capacity of the memory device.

The error notification can be implemented to fit Asami'100's invention and is only a

design choice. Clearly, Saeki'279 and Asami'100 teach the claimed limitations.

   Applicants argued that "Saeki'279 nor Asami'100 discloses when an interface section transmits a command different from a block size setting command and receives a response to the different command, and when the response includes error information about an inability of accepting a block size of the data block, the interface section transmits an inquiry about a data capacity of a data buffer to an electronic apparatus through a command/response line, determines a new block size which is not more than the capacity of the data buffer in the electronic apparatus based on a response corresponding to the inquiry, and sets the new block size to the electronic apparatus." (Bottom of page 2 to top of page 3 of Amendment)

   Examiner does not agree with Applicants. Saeki'279 discloses when the interface section transmits a command different from the block size setting command and receives a response to the different command (<u>IC card reader/writer 1 repeats the steps of receiving the response blocks from the IC card and of prompting IC card to send response blocks, see para. [0044], lines 1-4, para. [0043], lines 1-8, and Figs. 1,2, and 5</u>), transmits an inquiry about a data capacity of a data buffer to the electronic apparatus (<u>buffer size of RAM 4, see para. [0043], lines 9-12</u>) through the command/response line, determines a new block size which is not more than the capacity of the data buffer in the electronic apparatus based on a response corresponding to the inquiry, and sets the new block size to the electronic apparatus (<u>determines that the host data does not exceed memory capacity, see para. [0033], lines 9-10 and para. [0037], lines 3-5</u>). Asami'100 discloses transmitting an error

message when there is a problem or error in the data. One of ordinary skill in the art would know how to modify the error message to notify the condition in Saeki'279 when data blocks are divided so that they are smaller than the capacity of the memory device. The error notification can be implemented for Asami'100's invention and is a design choice.

In summary, Saeki'279 and Asami'100 teach the claimed limitation as set forth.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Titus Wong whose telephone number is (571) 270-1627.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dr. Henry Tsai can be reached on (571) 272-4176. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TW

/Henry W.H. Tsai/
Supervisory Patent Examiner, Art Unit 2184